

AMENDED IN SENATE JUNE 1, 2016

AMENDED IN ASSEMBLY MAY 5, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1419

Introduced by Assembly Member Eggman

February 27, 2015

An act to add Section ~~14591.25 to the Public Resources Code, relating to solid waste.~~ 25143.2.5 to the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1419, as amended, Eggman. ~~Recycling centers. Hazardous waste: cathode ray tube glass.~~

Existing law prohibits the management of hazardous waste, except in accordance with the hazardous waste laws. Existing law requires the Department of Toxic Substances Control to regulate the management and disposal of hazardous waste. Under existing regulations, the department classifies a waste as hazardous waste if the waste exceeds certain total threshold limitation concentrations, which are established by the department for various substances, including barium.

This bill, except as specified, would provide that used, broken cathode ray tube (CRT) panel glass and processed CRT panel glass that exceeds the total threshold limit concentration only for barium is not a waste and is not subject to regulation by the department if that panel glass meets certain requirements. The bill would provide that used, broken CRT panel glass and processed CRT panel glass that is recycled is not subject to the department's regulations on the export of materials.

Existing law, the California Beverage Container Recycling and Litter Reduction Act, provides for the Department of Resources Recycling and Recovery to certify operators of recycling centers. Existing law requires certified recycling centers, when accepting an empty beverage container from a consumer, to pay the refund value.

~~This bill would authorize the department to revoke a certification of a certified recycling center found to be abandoned, as specified. The bill would provide an opportunity for a hearing on that revocation to be conducted in the same manner as a hearing for an applicant whose original application for certification is denied.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25143.2.5 is added to the Health and
- 2 Safety Code, to read:
- 3 25143.2.5. (a) For purposes of this section, the following
- 4 definitions apply:
- 5 (1) "Cathode ray tube" or "CRT" means a vacuum tube or
- 6 picture tube used to convert an electrical signal into a visual image.
- 7 (2) "CRT device" means any electronic device that contains
- 8 one or more CRTs including, but not limited to, computer monitors,
- 9 televisions, cash registers, and oscilloscopes.
- 10 (3) "CRT funnel glass" means any glass separated from CRT
- 11 panel glass that is derived from the treatment of a CRT and that
- 12 consists of the neck and funnel section of a CRT, including the frit.
- 13 (4) "CRT panel glass" means glass separated from CRT funnel
- 14 glass that is derived from the treatment of a CRT and that consists
- 15 only of the face plate of a CRT containing a phosphor viewing
- 16 surface. CRT panel glass does not include the frit.
- 17 (5) "Processed CRT panel glass" means CRT panel glass with
- 18 the phosphor removed.
- 19 (b) Except as provided in subdivision (d), used, broken CRT
- 20 panel glass that exceeds the total threshold limit concentration
- 21 (TTLC) only for barium is not a waste and is not subject to
- 22 regulation by the department pursuant to this chapter, including
- 23 the prohibition on the use of that glass in a manner constituting
- 24 disposal, if it is recycled and meets the requirements of Section
- 25 261.39 of Title 40 of the Code of Federal Regulations.

(c) Except as provided in subdivision (d), processed CRT panel glass that exceeds the TTLC only for barium is not a waste and is not subject to regulation by the department pursuant to this chapter, including the prohibition on the use of that glass in a manner constituting disposal, if that glass meets the requirements of Section 66273.81 of Title 22 of the California Code of Regulations and is managed in accordance with the requirements of Section 261.39 of Title 40 of the Code of Federal Regulations.

(d) Subdivisions (a) and (b) do not apply to any CRT panel glass that is used to manufacture any product or packaging intended to be used for food or food products, including pet food and livestock feeds, any medicines or drugs, any medical devices, any baby bottles, any other food service items, including wine glasses, plates, bowls, or drinking glasses, or any other manufactured articles or products for which the department declares that that use may have a potential adverse impact upon human health. Such a declaration by the department need not be risk-based and need not meet the peer review requirements that may otherwise be required by law.

(e) Notwithstanding other laws, used, broken CRT panel glass and processed CRT panel glass that exceeds the TTLC only for barium and that is recycled is not subject to any requirement implementing this chapter regarding export of materials.

(f) Except regarding the barium threshold, this section does not affect, in any manner, the regulations adopted pursuant to this chapter regulating the processing of CRT panel glass for disposal.

(g) This section does not affect, in any manner, the authority of the Department of Resources Recovery and Recycling under Section 41821.5 of, or Chapter 8.5 (commencing with Section 42460) of Part 3 of Division 30 of, the Public Resources Code.

~~SECTION 1. Section 14591.25 is added to the Public Resources Code, to read:~~

~~14591.25. (a) The department may revoke a certification of a certified recycling center found to be abandoned if both of the following circumstances apply:~~

~~(1) The recycling center is not open during its posted hours on two consecutive inspections.~~

~~(2) The recycling center has no reportable volumes for a period of 30 consecutive days.~~

~~(b) Subsequent to the revocation, the former certificate holder may request a hearing which, notwithstanding Section 11445.20~~

1 of the Government Code, shall be conducted in the same manner
2 as a hearing for an applicant whose original application for
3 certification is denied.

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